APPENDIX E

FILED
JUN 16 2004

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

LEIF TAYLOR, Petitioner-Appellant, v. **THOMAS M. MADDOX, Interim Director; GEORGE GALAZA; CAL TERHUNE,** Respondents-Appellees.	No. 02-55560 D.C. No. CV-97-07033-RJK **ORDER**

Before: **KOZINSKI** and **T.G. NELSON**, Circuit Judges, and **RESTANI**, Judge.*

The petition for rehearing and rehearing en banc is DENIED. See Fed. R. App. P. 35; Fed. R. App. P. 40. The mandate shall issue forthwith. Fed. R. App. P. 2. The state should get on with its retrial, if it's going to have one.

*The Honorable Jane A. Restani, Chief Judge, United States Court of International Trade, sitting by designation.